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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

In Re Material Witness Warrants

Case No. 07 90552 MISC VRW (JCS)  
CR 08-0160 JCS

REPLY TO WITNESS MAO CAI  
SUN'S MOTION FOR RELEASE OR,  
IN THE ALTERNATIVE, TO  
COMPEL SCHEDULING OF RULE 15  
DEPOSITIONS

1 Material Witnesses Mao Cai Sun, Shun Biao Zhao, Kong Xiang Hu and Zong Bin Li have  
2 filed a motion asking to be released or, in the alternative, for Rule 15 depositions to be  
3 scheduled. The United States opposes the witnesses' release at this time, but supports the  
4 taking of depositions pursuant to Rule 15 of the Federal Rules of Criminal Procedure due to  
5 the exceptional circumstances in this matter, and because it is in the interests of justice.

6 The witnesses are potential witnesses in *United States v. John Joseph Cota* CR 08-0106  
7 JCS. Before depositions can be taken in that case, the parties need to exchange and review  
8 discovery. The discovery is complex and involves a variety of paper navigation charts,  
9 electronic navigation charts, radar images, and a voice recorder. The government has already  
10 provided some discovery and is expeditiously providing the rest to the defendant. Based on  
11 conversations with defense counsel, the government believes the earliest the  
12 parties can be prepared to take deposition is May 27, 2008.

13  
14 DATED: April 21, 2008

Respectfully submitted,

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